

IN THE SUPERIOR COURTS OF LUMPKIN, TOWNS, UNION AND WHITE

ENOTAH JUDICIAL CIRCUIT

STATE OF GEORGIA

IN RE: Extension of Judicial Emergency

DATE: July \_\_, 2020

GEORGIA, LUMPKIN COUNTY  
CLERK OF SUPERIOR COURT

Filed 4:00 PM 7/22/2020

Recorded in BPA Book 120 Page 245-254

ORDER EXTENDING JUDICIAL EMERGENCY.

Rita Harkins  
RITA HARKINS, CLERK JO

WHEREAS, a Judicial Emergency was previously determined to exist pursuant to a statewide Order entered by Chief Justice Harold D. Melton of the Georgia Supreme Court. Said order has since been extended 4 times, with the latest order set to expire on August 14, 2020 @ 11:59pm, unless otherwise, extended; rescinded, amended or superseded. By reference, the Fourth Order Extending Declaration of Statewide Judicial Emergency entered on July 10, 2020, by Chief Justice Harold D Melton of the Georgia Supreme Court is incorporated herein.

WHEREAS, the Coronavirus/COVID19 continues to pose great risk to public health, and despite the implementation of and adherence to safe operating guidelines in this circuit, some courthouse employees have tested positive for COVID19. Additionally, local and statewide cases continue to rise. Numerous retail stores have begun to require mask for all patrons and employees.

Therefore, pursuant to O.C.G.A. § 38-3-60(2) (D), it is hereby DETERMINED that a Judicial Emergency exists in the Enotah Judicial Circuit, comprising Lumpkin, Towns, Union and White Counties. Because this emergency continues to substantially endanger or infringe upon the normal functioning of the judicial system, this declaration affects all courts and clerk's offices in the circuit. Pursuant to O.C.G.A. § 38-2-61, the Honorable Chief Judge Raymond E George, of the Superior Courts of The Enotah Circuit, comprising Lumpkin, Towns, Union and White Counties, DOES HEREBY DECLARE AND EXTEND, the current Judicial Emergency in the Enotah Judicial Circuit.

Accordingly, IT IS THE ORDER of the Court:

1. The suspension of jury trials and grand juries shall remain in effect until further order of the Georgia Supreme Court.

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2. All Courts may return to the holding of in-person, non-essential hearings. Such hearings shall be scheduled at the discretion of the judge assigned to the case, with proper notice and opportunity given for any party to object. Courtroom attendance shall not exceed the maximum seating capacities of each courtroom, while maintaining social distancing. All participating parties shall wear a mask upon entering and while in the Courthouse and be subjected to having their temperature taken. All parties must comply with social distancing guidelines and CDC procedures, and follow the six basic measures listed below:

A. The following six Basic Measures are critical to fighting the spread of COVID19.

1. SOCIAL DISTANCING: Keep 6 feet between yourself and people who do not live with you. Do not allow crowds to congregate.
2. GOOD HYGIENE: Wash your hands with soap and water frequently, particularly after touching shared surfaces such as doorknobs, handles, tables etc. Use hand sanitizer.
3. CLEANING SURFACES: Frequently touched surfaces should be regularly wiped down with a disinfectant. This is in addition to the cleaning done by custodial staff.
4. FACE COVERINGS: Face coverings are intended to trap droplets from leaving the wearer's mouth and nose. They should ALWAYS be worn when in close contact with another person, as well as in public or common areas.
5. SELF-QUARANTINE PERSONAL POLICY: Mandatory self-disclosure and self-quarantine policies require employees to immediately alert their department head if they are experiencing any symptoms, have tested positive, or have had close contact with anyone who has. If so, they are required to stay home.
6. SCREENING MEASURES AT ENTRANCES: While the courthouse remains open to the public, anyone entering is subject to the additional screening measures as ordered by the Chief Judge. These measures will

include digital temperature checks and the wearing at all times, while in public and common areas, of face coverings.

3. Furthermore, all such hearings shall be conducted in compliance with the Supreme Court of Georgia's clarified and/or amended Rule 9 of the Uniform Superior Court Rules issued on March 27, 2020.
4. Probate Court's continuance of issuing weapons carry licenses shall be conducted in such a manner as to ensure visitors, to every extent feasible, are required to maintain social distancing guidelines.
5. All courts, offices, and departments are encouraged, to the extent feasible, to conduct business and offer essential services by appointment, in order to mitigate the number of visitors entering the facilities at any one time.
6. All courts, offices and departments, to the extent feasible, are encouraged to conduct hearings via video conferencing.
7. Parties or their Counsels who do not consent to video conferencing, shall provide their own PPE for all members of their party to include any witnesses they may call. They shall also be responsible for informing their clients, members of their party and their witnesses of the social distancing guidelines and CDC procedures, and assuring they are complying.

**This Judicial Emergency shall terminate on August 14, 2020 at 11:59p.m., unless otherwise extended, rescinded, amended, or superseded, exclusive of Jury Trials/Grand Jury suspensions as noted herein.**

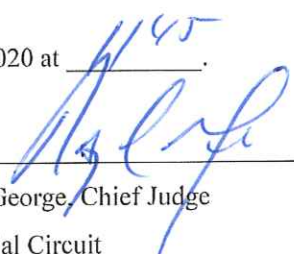
IT IS FUTHER ORDERED, pursuant to O.C.G.A. § 38-3-63, that the Sheriffs of Lumpkin, Towns, Union and White Counties shall post this Order on their public notification site and in the courthouses;

IT IS FUTHER ORDERED, that the undersigned shall immediately notify and serve Chief Justice Harold D. Melton of the Supreme Court of Georgia with a copy of this Order, such service to be accomplished via email to Tee Barnes, the Clerk of the Supreme Court of Georgia.

IT IS FURTHER ORDERED, that the undersigned shall immediately notify and serve a copy of the order on the judges and clerks of all courts sitting within the jurisdictions affected.

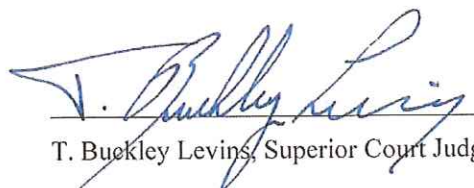
IT IS FURTHER ORDERED, that the undersigned shall give notice of the issuance of this Order to the affected parties, counsel for the affected parties and the public.

IT IS SO ORDERED this 21 day of July, 2020 at 11:45.

  
\_\_\_\_\_  
Raymond E. George, Chief Judge  
Enotah Judicial Circuit

Said order is issued after consultation and consent of the other sitting Superior Court Judges of the Enotah Judicial Circuit.

  
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Joy R. Parks, Superior Court Judge

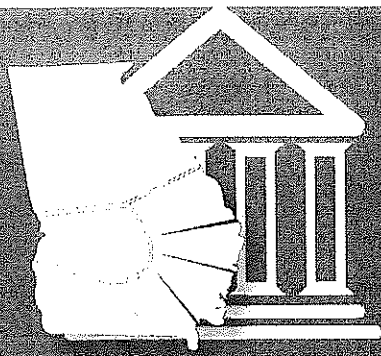
  
\_\_\_\_\_  
T. Buckley Levins, Superior Court Judge



Pursuant to CDC  
guidelines and Georgia  
Supreme Court and  
Superior Court orders  
ANYONE  
entering the  
Courthouse must wear  
a mask at all times

Raymond George,  
Chief Superior Court Judge

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# Georgia Court Reopening Guide



Judicial Council Strategic Plan  
Standing Committee

When the courts reopen, certain general practices will need to be followed to ensure the health and safety of both court employees and the public. Due to the wide variety of courts across the State, it is impossible to create a one-size-fits-all COVID-19 policy that will work for both small and larger localities. There are, however, certain general practices that could be applied to all courts and adjusted where necessary to meet the unique needs of each court. The practices presented here are to assist all Georgia courts meet the challenges of resuming operations in the wake of the public health emergency caused by COVID-19.

## Guiding Principles

- ✓ Reduce the transmission of COVID-19 among court employees and the public.
- ✓ Maintain healthy court operations and facilities for the public.
- ✓ Maintain a healthy work environment for court employees.
- ✓ Exercise flexibility when applying these guidelines to ensure each litigant receives a fair hearing as required by law.

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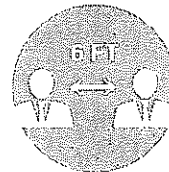
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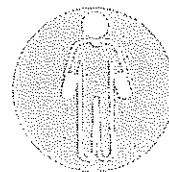
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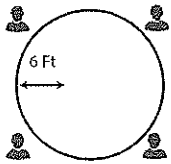


## General Infection Control Measures



**Require** all employees and the public to wear a mask or face covering when entering the court facility. If possible, provide a mask to employees and

members of the public seeking entry who do not have one.



**Limit room capacity** throughout the court facility. Calculate room capacity using the area of a circle with a radius of six feet, which is equal to approximately 113 square feet per person. Use your best judgment to adjust this calculation to the specific layout of each room and to accommodate cohabitating groups sitting together.

- **Provide the public with access** to handwashing and multiple hand sanitizer stations throughout the facility.
- **Provide signage** to direct the public to bathrooms for handwashing and hand sanitizer stations.
- **Request that housekeeping personnel clean and sanitize bathrooms and other areas** more frequently and adequately to control the transmission of COVID-19.
- **Restrooms should be well-stocked** with soap and paper towels at all times.
- **Post signage limiting restroom capacity** to facilitate social distancing.
- **Prohibit the use** of water fountains.
- **Consider physical barriers** like plexiglass to protect court employees and the public.
- **Permit employees and the public to wear their own protective equipment**, including a face covering.
- **Any person not wearing a mask** should remain at least ten feet away from other people.
- **Ventilation system:** Work with public health to evaluate ventilation needs. The CDC recommends

### Maintain Safe Behavioral Practices

- ✓ Frequently wash hands or use alcohol-based (at least 60 percent alcohol) hand sanitizer when soap and water are not available.
- ✓ Wear a mask or other face covering. If wearing a mask would negatively impact a litigant's right to a fair hearing, consider transparent face shields, physical distancing, or other infection control measures in consultation with a public health or medical professional.
- ✓ Avoid touching eyes, nose, and mouth.
- ✓ Stay at least six feet (about two arms' length) from other people.
- ✓ Stay home when sick.
- ✓ Clean and disinfect frequently touched objects and surfaces, including door handles, security bins, countertops, public access computers, and seating throughout the facility.

improving central air filtration to a MERV-13 filter or the highest compatible with the filter rack, as well as sealing the edges of the filter to limit bypass.

- **Locate additional space:** Identify other government facility space to provide more room, e.g., commission meeting rooms, jury assembly rooms, auditoriums, etc.
- **Coordinate your efforts** with the other tenants in your building to ensure uniform practices throughout the facility.
- **Isolate persons who become symptomatic** while in the court facility until they are able to leave and remove others from any rooms they have occupied.
- **Consult a public health or medical professional** if you have questions or need help adapting these guidelines to your unique circumstances.

## Provide Notice to the Public of Increased Health and Safety Measures



**Modify the existing hearing notice** to include that the court has taken certain health and safety measures to limit the transmission of COVID-19.

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**Add information to the existing hearing notice** about how to contact the court to request a continuance in the event that the noticed party:

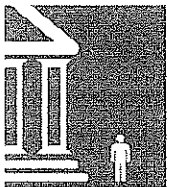
- ✓ Is currently infected with COVID-19 or in quarantine due to exposure to a person with COVID-19.
- ✓ Is a member of an immune-compromised or medically fragile population (or living in a household with someone who is immune-compromised or medically fragile).
- ✓ Is over age 65.
- ✓ Has small children but does not have child care due to COVID-19.

**Include information about how to request a reasonable and necessary accommodation** in advance of arriving to court, such as an interpreter.

**Post adequate signage** to provide the public with instructions on how to comply with health and safety measures.

**Post signage and floor decals** to direct the flow of foot traffic throughout the court facility.

## Provide Healthy and Safe Access to the Courtroom



### SCREENING

**Establish a process to screen individuals for COVID-19 before entering the court building and the courtroom.**

**Ask a series of questions** to each individual before or upon entry to the building, such as:

- ? Whether or not they have traveled to or from any areas in which COVID-19 is particularly active.
- ? If they have, within the past ten days, experienced symptoms of COVID-19, including: cough, shortness of breath or difficulty breathing, fever above 100.0 degrees, chills, muscle pain, sore throat, headache, or new loss of taste or smell.
- ? If they have been in contact with someone known to have COVID-19 within the last 14 days.
- ? If they have been tested for the virus and the result of such test.
- ? If possible, take the temperature of each individual seeking to enter the building with a no-contact thermometer and deny entry to anyone with a fever of 100.0 degrees or higher. Persons reporting a fever above 100.0 degrees in the past 72 hours should also be denied entry.
- ? Any person denied entry for health reasons should have his or her case continued and be advised to seek medical evaluation and testing.
- ? The following information should be collected from any person denied entry for health reasons: name, contact information, the court he or she was scheduled to attend and why, and the specific reason for denying entry.

### STAGING

**Individuals should not congregate** in common areas while waiting to access the courtroom.

**Design a process to facilitate social distancing** while individuals wait to enter the courtroom, such as:

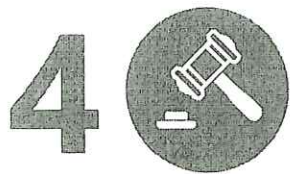
- Floor or sidewalk markings to keep individuals six feet apart.
- Outdoor distancing so individuals can spread out.
- Waiting in cars.
- Set up a tent where individuals can wait in compliance with social distancing measures.
- Call or send a text message when it's time to enter the building.

### FLOW

**Control the route** that people will take through your building to access the courtroom to encourage social distancing, such as:

- Roping or taping off certain seating areas or hallways.
- Placing arrows on the floors to direct foot traffic.
- Requiring people to enter through one door and exit through another.
- Limiting elevator capacity to facilitate social distancing (e.g., two person maximum) and offering the stairs as an alternative route.





## Maintain a Healthy and Safe Courtroom

**Maintain a six foot distance** in the courtroom between individuals who do not reside together to facilitate adequate social distancing.

### **Limit Courtroom Capacity**

Do not schedule more individuals to arrive at the courtroom (including staff) than the square footage of the courtroom can accommodate to allow for social distancing.

One way to calculate room capacity is to use the area of a circle with a radius of six feet, which is equal to approximately 113 square feet per person.

**Continue to conduct virtual hearings** by video conference or teleconferencing whenever possible.

**Consider providing a live** YouTube, Facebook, Zoom or other link to individuals who want to see what is going on in the courtroom but cannot be present due to room capacity.

**Rotate individuals in and out** of the courtroom as quickly as possible to limit contact.

**Use microphones** capable of picking up audio from a safe distance or clean close proximity microphones after each use. Court employees should wear gloves and hold handheld microphones if used.

**Limit contact** with shared documents and exhibits as much as possible. Present documents and exhibits electronically if possible and appropriate.

**Conduct bench conferences in a room that provides for adequate social distancing** (defendant may need to waive his or her presence if necessary).

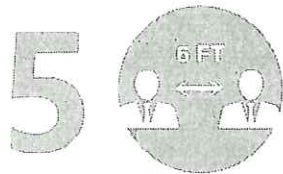
**Disinfect the courtroom** after each proceeding or as frequently as practicable.

### **Consider Staggered Scheduling**

Under normal circumstances, it is common to have large calendar calls in many courts where many people report at one time.

To maintain adequate social distancing, stagger the arrival of persons participating in proceedings to ensure that a large number of individuals do not arrive at the same time.

For example, if a courtroom can accommodate twelve people, do not schedule your normal 50 person calendar for 8:30 a.m. Rather, schedule the first group of 12 for 8:30 a.m. and the second group of 12 for 10:00 a.m., etc.



## Healthy and Safe Court Employees

**Implement staggered shifts** for all court employees and implement teleworking for all possible court employees.

**Discourage employees from sharing** phones, desks, offices, surfaces, or other equipment.

**Provide for adequate spacing** between employee workstations to facilitate social distancing.

**Provide a separate entrance** to the court facility for employees, if possible.

**If six feet of separation is not possible**, consider options like plexiglass barriers and frequently disinfecting shared surfaces, such as table tops, door knobs, elevator buttons, pens, security bins, etc.

**Require all employees to wear face coverings** at all times.

**Consider temperature checks** of employees when employees report to work each day with a no-contact thermometer.

**Require employees who exhibit signs of illness** to stay home or seek medical attention.

**Provide courtroom employees with adequate personal protective equipment**, including face coverings.

**Courtroom employees should be trained** on best practices to prevent infection, including frequent hand washing for at least 20 seconds with soap and water.

**Clean and disinfect offices daily** or as frequently as possible.



## Healthy and Safe Jurors and Potential Jurors

**The number of jurors and potential jurors should be limited to the amount a room or facility can accommodate** with social distancing and other infection control measures.

### Potential jurors:

- ✓ Likely to have more conflicts than prior to COVID-19 (e.g., childcare, looking for work, or working in the medical field).
- ✓ Will likely have health concerns about being around a group of strangers.

**Jury selection may take longer** due to social distancing and other infection control measures.

### Jury holding and deliberations:

- ✓ Likely cannot take place in a typical jury room due to size.
- ✓ Use a larger room, such as the courtroom or another large meeting room to facilitate social distancing.
- ✓ Turn off video and audio recording in the room if the jury is deliberating there.
- ✓ Limit jury deliberations to two hours at a time with 15-minute breaks to go outside into fresh air and/or separate from each other. Jurors should not deliberate for more than eight hours per day.

**Provide** individual boxed lunches and bottled water to jurors. Vending machines should be wiped down regularly and have a hand sanitizing station nearby.

**Juror transportation:** If jurors are shuttled to the court facility, provide for proper spacing in transport vehicles and sanitize vehicles after each use. Jurors should stay six feet apart while waiting for the shuttle.

**Require all jurors to wear a mask** or face covering while in the court facility and the juror shuttle, if applicable. If wearing a mask would make it difficult to evaluate the demeanor of jurors or otherwise negatively impact a litigant's right to a fair hearing, consider transparent face shields, physical distancing, or other infection control measures in consultation with a public health or medical professional.



## Healthy and Safe Inmates and Detainees

- ✓ **Use video conferencing** for proceedings whenever possible.
- ✓ **Screen inmates and detainees** for COVID-19 symptoms before transport to court.
- ✓ **Work with law enforcement** to provide for proper spacing in transport vehicles and masks for inmates and detainees during transport. Stagger arrivals and departures to facilitate spacing in transportation vehicles and holding areas.
- ✓ **Sanitize transport vehicles** after use.
- ✓ **Label holding areas** to provide for social distancing.
- ✓ **Sanitize holding areas**, restraints, and other commonly used items after each use.
- ✓ **Make hand sanitizer available** to inmates and detainees.
- ✓ **Require** all inmates and detainees to wear a mask or face covering while in the court facility. If wearing a mask would negatively impact an inmate or detainee's right to a fair hearing, consider transparent face shields, physical distancing, or other infection control measures in consultation with a public health or medical professional.
- ✓ **Ensure** deputies who are required to be in close proximity to inmates and detainees have face coverings and gloves.